IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 571 of 1998

Between:

Gaddalagunta Harijana Labour Contract Coop Society Ltd.,

Rep. By its president K.Prabhakar Rao,

S/o.Hanumaiah, R/o.Gaddlagunta, Ongole,

Prakasham District.

..... PETITIONERS

AND

1. T.Venkateswarlu, Commissioner, Ongole, Prakasham District.
2. The Municipal Chairman, Ongole Municipality, Ongole, Prakasham District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, to declare the action of the respondents in not awarding the works in respect of item No.4 and 5 of tender Notice bearing No.13/97-98 dated 08-12-1997 herein as illegal, arbitrary and unjust and issue an appropriate writ order or direction ot the respondents to allot above work to the petitioner if its tender is lowest.

Counsel for the Petitioner: MR.T.RAJENDRA PRASAD

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following:

ORDER:

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This writ petition is filed seeking a declaration that the action of the respondents in not awarding the works in respect of item Nos.4 and 5 of tender notice bearing No.13/97-98, dated 08-12-1997, to the petitioner as illegal, arbitrary and unjust and consequently, for a direction to allot the above work to the petitioner, if its tender is the lowest.

When the writ petition was admitted, this Court by its order dated 06-01-1998, passed an interim order directing the respondents not to finalise the tenders until further orders. Subsequently, when a vacate stay petition was moved, this Court by its order, dated 16-04-1999, modified the earlier order and directed the respondent-Municipality to consider the tender submitted by the petitioner also along with all other eligible tenderers and finalise the contract. Further this Court observed that if the petitioner is the successful tenderer and the work is required to be entrusted to the petitioner-Society, the same may be entrusted to it, subject to such further direction as may be issued regarding the payment of Earnest Money Deposit by the petitioner society.

In view of the earlier orders, this Court is of the view that no further orders are required to be passed in this writ petition.

Accordingly, the writ petition is disposed of.

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07-12-2004

vs

To

1 The Secretary, State of Andhra Pradesh, Education Department,
Secretariat Buildings, Hyderabad.
2. Two CCs to G.P. for Education, High Court Buildings,

Hyderabad. (OUT)

3. Two C.D. copies.